

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Neeper, Michael P., et al.

Serial No. 09/642,405

Filed: August 21, 2000

For: SYNTHETIC HUMAN PAPILLOMAVIRUS GENES

Art Unit: 1632Examiner: Li, Q. J.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.**

By \_\_\_\_\_ Date \_\_\_\_\_

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
09/642,405	August 21, 2000	20413Y

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

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 DATE OF DEPOSIT December 4, 2003  
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 DATE 12-4-03

Respectfully submitted,

[Signature]  
 By: Alysia A. Finnegan  
 Attorney \_\_\_\_\_ For Applicant(s)  
 Reg. No. 48,878  
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 (732)594-2583  
 Date: December 4, 2003

*(use as many sheets as necessary)*

Sheet

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of

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<b>Application Number</b>	09/642,405
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August 21, 2000

<b>First Named Inventor</b>	Neeper, Michael P.
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Group Art Unit	1632
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Examiner Name	Li, Oian J.
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Attorney Docket Number	20413YCA
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[illegible][illegible]Examiner  
SignatureDate  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 09/05/2003

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>COMPLETE IF KNOWN</b>	
				Application Number	09/642,405
				Filing Date	August 21, 2000
				First Named Inventor	Neeper, Michael P.
				Group Art Unit	1632
				Examiner Name	Li, Qian J.
Sheet	2	of	3	Attorney Docket Number	20413YCA

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Zhou Jian, et al. - Journal of Virology, Vol. 73, No.6, PP. 4972-4982, 1999
		Afghan, R. K., et al. - Immunology, Vol. 95, No. Suppl. 1, P. 106, 1998
		Kotecha, M. T., et al. - Immunology, Vol. 95, No. Suppl. 1P. 107, 1998
		Xu, Jianqing, et al. - Zhonghua Weishengwuxue He Mainyixue Zazhi, Vol.19, No. 3, 1999
		Smahel Michal, et al. - Oncology Reports, Vol. 6, No. 1, PP. 211-215, 1999
		Nimako Mercy, et al. - Cancer Research, Vol. 57, No. 21, PP. 4855-4861, 1997
		Borysiewicz, L. K., et al. - Lancet, Vol. 347, No. 9014, PP. 1523-1527, 1996
		Toes Rene, E. M., et al. - Proceedings of the National Academy of Sciences of the United States, Vol. 94, No. 26, PP. 14660-14665, 1997
		Hi Z, et al. - Virology, Vol. 270, No. 1, PP. 146-161, 2000
		Chen Chien-Hung, et al. - Vaccine, Vol. 18, No. 19, PP. 2015-2022, 2000
		Donnelly, et al. - Protection Against Papillomavirus..., PP. 314-320, 1996
		Bodey, et al. - Failure of Cancer Vaccines, PP. 2665-2676, 2000
		McCluskie, et al. - Route and Method of Delivery of DNA, 1999
		Orkin, et al. - Report and Recommendations of the Panel, PP. 1-41, 1995
		Rudinger - Characteristics of the Amino Acids, PP. 1-8, 1976

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet	2	of	3
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Examiner  
Initials\*Cite  
No.

**Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.**

Bowie, et al. - Deciphering the Message in Protein Sequences, Vo.. 247, 1990

Chemical Compound (Encyclopaedia Britannica Online), 2001

Moingeon, et al. - Challenges and Issues in New Vaccine, PP. 173 - 175, Vol. 23, No. 4, 2002

Bubenik, J. Int. J. Onocol., 2002;20:207

Nakano et al.- J. Virol, Vol. 71; PP. 101 - 109, 1997

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